



July 26, 2022

Chris Hurley
IHC Scott, Inc. dba Scott Contracting, Inc.
9200 E. Mineral Ave, Suite 400
Centennial, CO 80112

**RE: Rifle Pit #1, File No. M-2021-052 , 112 Construction Materials,
AM-1 Adequacy Review-1**

Dear Mr. Hurley:

The Division of Reclamation, Mining and Safety (Division) is in the process of reviewing the Amendment No. 1 application in order to ensure that it adequately satisfies the requirements of the Colorado Land Reclamation Act for the Extraction of Construction Materials and the associated Mineral Rules and Regulations of the Colorado Mined Land Reclamation Board for the Extraction of Construction Materials. During review of the material submitted, the Division determined that the following issues of concern shall be adequately addressed before the application can be considered for approval.

Application Form

Permit No. is M-2021-052, not M-2021-021-052

1. Answer questions 5.1, 5.2 and 5.3

6.4.1 EXHIBIT A - Legal Description

2. Figure 1 needs to depict the mine entrance with coordinates, as required by Rule 6.4.1(2).

6.4.3 EXHIBIT C - Pre-mining and Mining Plan Map(s) of Affected Lands

3. Based on the narrative of section 4.1 and the structures listed on Table 1, it is unclear if all significant, valuable, and permanent man-made structures are located within 200 feet of the affected lands and which are not. Please adequately address Rule 6.4.3(b) and (g).
4. In Section 4.3, Topography and Aquifer, describe the alluvial aquifer's characteristics and location with relation to the permit area and the Colorado River.
5. Exhibits C4, C5 and C6 do not have a map legend. Please revise the maps to include a legend.

6.4.4 EXHIBIT D - Mining Plan

6. Figure 13, Exhibit D2 has no map legend. Please revise the exhibit to include a legend.



7. What is the nature of the stratum immediately beneath the material to be mined in sedimentary deposits? This information is also not depicted on Figure 10-Exhibit D1 Mining Plan. Required under Rule 6.4.4(f)(ii).
8. The dates for the timeline in section 5.3 in Exhibit D need to be updated.
9. Will fuel or other hydrocarbons be stored on site? If so please describe how they will be stored, spill prevention and general measures to protect the hydrologic balance.

6.4.5 EXHIBIT E - Reclamation Plan

10. Exhibit E1, Figure 14, needs to have a map legend included.
11. Section 6.0 needs to state the post mining land use not just a statement that the land will be restored back to natural conditions. The post mining land use of having a pond remain is different than the pre-mining site conditions.
12. Include the seed mixes planned to be utilized at the site in Section 6.1.1.6, as well as, the Exhibit or Attachment in the permit application where the seed mixes are located.
13. Section 6.2 states “The post mining land use will be a pond.” This would indicate a use as a water resource however according to the application form the post-mining land use is “recreation”. Please clarify.
 - i. The comparison of the proposed post-mining land use to other land uses in the vicinity is inadequate per Rule 6.4.5(2)(b).
14. Commit to revegetating all topsoil stockpiles that are stored for more than 180 days per Rule 3.1.9.
 - i. What is the temporary seed mix mentioned in Section 6.3.3.1? Provide the species, variety, rate (# PLS/Ac), application methods and mulching rates and methods if applicable.
15. Section 6.3.2 “The site will need to take on fill dirt for a source of a disposal area for clean dirt and to fill part of the pit, minimizing the size of the pond and reducing evaporation potential.” This statement is unclear as to what it’s trying to be communicate.
16. Section 6.1.1.1 states “No inert structural fill generated outside of the approved permit will be backfilled into the mining pit.” If the statement in section 6.3.2 is intending to say that imported material will be used to backfill slopes and decrease overall pond size the statement in 6.1.1.1 is contradictory as it does not allow for the importation of inert material.
17. Please revise the timeline stated in Section 6.3.3.1 since work at the site will not have started in the summer of 2022. If needed please update if a temporary seed mix will be used due to the adjusted timeline.
18. Per Rule 6.4.5(2)(a) no discussion was provided as to the various types of reclamation, why each was chosen, the amount of acreage accorded to each, and a general discussion of methods of reclamation as related to the mechanics of earthmoving.
 - i. Explicitly state the number of acres to be reclaimed as various types of land. Note all affected lands must be reclaimed (if not water).

- ii. State the specific equipment type to be employed to achieve each task of reclamation from cessation of mining to completion of final reclamation.
- 19. The need for soil decompaction is not addressed in the reclamation plan per Rule 6.4.5(2)(d). State the total number of acres by mining phase that will require soil decompaction. Note that areas under stockpiles to be revegetated shall be decompacted prior to topsoil application and revegetation.
- 20. Per Rule 6.4.5(2)(e)(i), (ii) and (iii), Provide a plan or schedule indicating how and when reclamation will be implemented.
 - i. This estimate shall be specific to the various stages or phase of reclamation.
 - ii. Include a description of the size and location of each area to be reclaimed during each mining phase. State within each mining stage and site wide the number of acres associated with each reclamation land type.
 - iii. Outline which tasks within each mining phase can be completed immediately after completion of mining and which tasks are associated with project completion and will remain until the entire site is reclaimed.
- 21. Who developed the seed mixes on Figure 16 Exhibit E2? The Division has concerns regarding the appropriateness of species selected and their application rated.
 - i. Specifically the upland seed mix on Table 1 only contains one overlapping species with Section 4.4.1 Upland pasture. Similarly Table 2 also only has one overlapping species for Section 4.4.2 Herbaceous Emergent Wetlands.
- 22. Figure 16 Exhibit E2 states that hydromulching will be used.
 - i. At what rate will it be applied and specifically what type of material will be utilized.
 - ii. Will hydromulch be used on all reclamation land types?
- 23. Exhibit F, Reclamation Plan Map must be included in the application as per Rule 6.4.6.
- 24. Section 8.5 of the application discusses water management at the site. Please expand the discussion on what types of BPMs are going to be employed at the site.
- 25. Please provide of all necessary water rights to cover the mine site both during and after completion of mining, such as. Substitute Water Supply Plan, water decree, Augmentation, Gravel well pond permit, etc.
- 26. In section 11.1 the Sapling/Shrub Stratum does not specify the height of the specimens, please include this information.

6.4.12 EXHIBIT L - Reclamation Costs

- 27. How many linear feet is the wetland reclamation area going to be?
- 28. Include a task for decompaction (ripping) of areas prior to topsoil application.

6.4.13 EXHIBIT M - Other Permits and Licenses

- 29. Exhibit M, please include a reference in this exhibit where the items listed in the exhibit can be found in the permit application.

6.4.15 EXHIBIT O - Owner(s) of Record of Affected Land (Surface Area) and Owners of Substance to be Mined

30. Attachment B (title agreement) Schedule B, Part II (exceptions) #16 states “Reservation of all oil shale, kerogen, shale oil, coal, oil, gas, fissionable material an all other minerals of any kind or nature....” Does this exclusion include sand and gravel deposits? And if so who is the referenced owner?
31. Individual agreements for each Owner must be signed by the Operator and Structure(s) Owner. A blanket statement cannot be submitted in lieu of a completed agreement. Where an agreement cannot be reached an engineering evaluation may be submitted (Exhibit 6.5 Geotechnical Stability analysis) per Rule 6.4.19(b).
- i. URSA Operating Company, LLC (if successor identify company) – Gas, steam, and non-potable water

This concludes the Division’s preliminary adequacy review of the Rifle Gravel Pit #1’s Amendment No. Application. Please submit your response(s) to the above listed issue(s) by Friday, September 02, 2022 in order to allow the Division sufficient time for review. The decision date for your application is scheduled for September 23, 2022. The Division will continue to review your application and will contact you if additional information is needed.

If you require additional information, or have questions or concerns, please feel free to contact me.

Sincerely,



Clayton Wein
Environmental Protection Specialist
clayton.wein@state.co.us

cc: Travis Marshal, Senior Environmental Protection Specialist